

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

99-09-04 McDonnell Douglas: Amendment 39-11136. Docket 99-NM-59-AD.

Applicability: Model MD-11 series airplanes, manufacturer's fuselage numbers 0447 through 0464 inclusive, and 0466 through 0475 inclusive; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (c) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To prevent smoke and possible fire in the overhead switch panel lighting circuitry due to an overload condition, as a result of lack of circuit breaker protection, accomplish the following:

One-Time Inspection

(a) Within 60 days after the effective date of this AD, perform a one-time inspection to verify correct wire terminations of certain circuit breakers in the cockpit overhead switch panel, in accordance with McDonnell Douglas Alert Service Bulletin MD11-33A027, dated March 10, 1999.

Condition 1 (Correct Wire Terminations)

(1) If all affected circuit breakers have correct wire terminations, no further action is required by this AD.

Condition 2 (Incorrect Wire Terminations)

(2) If any affected circuit breaker has an incorrect wire termination, prior to further

flight, correct termination in accordance with the alert service bulletin.

Reporting Requirement

(b) Within 10 days after accomplishing the inspection required by paragraph (a) of this AD, submit a report of the inspection results (both positive and negative findings) to the Manager, Los Angeles Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate, 3960 Paramount Boulevard, Lakewood, California 90712-4137; fax (562) 627-5210. Information collection requirements contained in this regulation have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*) and have been assigned OMB Control Number 2120-0056.

Alternative Methods of Compliance

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Los Angeles Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Los Angeles ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

Special Flight Permits

(d) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Incorporation by Reference

(e) The actions shall be done in accordance with McDonnell Douglas Alert Service Bulletin MD11-33A027, dated March 10, 1999. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Boeing Commercial Aircraft Group, Long Beach Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Dept. C1-L51 (2-60). Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(f) This amendment becomes effective on May 7, 1999.

Issued in Renton, Washington, on April 13, 1999.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99-9737 Filed 4-21-99; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 97**

[Docket No. 29544; Amdt. No. 1927]

Standard Instrument Approach Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) for operations at certain airports. These regulatory actions are needed because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, addition of new obstacles, or changes in air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: An effective date for each SIAP is specified in the amendatory provisions.

Incorporation by reference approved by the Director of the Federal Register on December 31, 1980, and reapproved as of January 1, 1982.

ADDRESSES: Availability of matter incorporated by reference in the amendment is as follows:

For Examination— 1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591;

2. The FAA Regional Office of the region in which affected airport is located; or

3. The Flight Inspection Area Office which originated the SIAP.

For Purchase— Individual SIAP copies may be obtained from:

1. FAA Public Inquiry Center (APA-200), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20951; or

2. The FAA Regional Office of the region in which the affected airport is located.

By Subscription— Copies of all SIAPs, mailed once every 2 weeks, are for sale by the Superintendent of Documents, US Government Printing Office, Washington, DC 20402.

FOR FURTHER INFORMATION CONTACT:

Donald P. Pate, Flight Procedure Standards Branch (AMCAFS-420), Flight Technologies and Programs Division, Flight Standards Service,

Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 South MacArthur Blvd. Oklahoma City, OK. 73169 (Mail Address: P.O. Box 25082 Oklahoma City, OK. 73125) telephone: (405) 954-4164.

SUPPLEMENTARY INFORMATION: This amendment to part 97 of the Federal Aviation Regulations (14 CFR part 97) establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs). The complete regulatory description on each SIAP is contained in the appropriate FAA Form 8260 and the National Flight Data Center (FDC)/Permanent (P) Notices to Airmen (NOTAM) which are incorporated by reference in the amendment under 5 U.S.C. 552(a), 1 CFR part 51, and § 97.20 of the Federal Aviation's Regulations (FAR). Materials incorporated by reference are available for examination or purchase as stated above.

The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the **Federal Register** expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, but refer to their graphic depiction of charts printed by publishers of aeronautical materials. Thus, the advantage of incorporation by reference are realized and publication of the complete description of each SIAP contained in FAA form documents is unnecessary. The provisions of this amendment state the affected CFR (and FAR) sections, with the types and effective dates of the SIAPs. This amendment also identifies the airport, its location, the procedure identification and the amendment number.

The Rule

This amendment is part 97 of the Federal Aviation Regulations (14 CFR part 97) establishes, amends, suspends, or revokes SIAPs. For safety and timeliness of change considerations, this

amendment incorporates only specific changes contained in the content of the following FDC/P NOTAMs for each SIAP. The SIAP information in some previously designated FDC/Temporary (FDC/T) NOTAMs is of such duration as to be permanent. With conversion to FDC/P NOTAMs, the respective FDC/T NOTAMs have been canceled.

The FDC/P NOTAMs for the SIAPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these chart changes to SIAPs by FDC/P NOTAMs, the TERPS criteria were applied to only these specific conditions existing at the affected airports. All SIAP amendments in this rule have been previously issued by the FAA in a National Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for all these SIAP amendments requires making them effective in less than 30 days.

Further, the SIAPs contained in this amendment are based on the criteria contained in the TERPS. Because of the close and immediate relationship between these SIAPs and safety in air commerce, I find that notice and public procedure before adopting these SIAPs are impracticable and contrary to the public interest and, where applicable, that good cause exists for making these SIAPs effective in less than 30 days.

Conclusion

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3)

does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 97

Air traffic control, Airports, Navigation (air).

Issued in Washington, DC on April 16, 1999.

L. Nicholas Lacey,
Director, Flight Standards Service.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, part 97 of the Federal Aviation Regulations (14 CFR part 97) is amended by establishing, amending, suspending, or revoking Standard Instrument Approach Procedures, effective at 0901 UTC on the dates specified, as follows:

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

1. The authority citation for part 97 is revised to read as follows:

Authority: 49 U.S.C. 40103, 40113, 40120, 44701; 49 U.S.C. 106(g); and 14 CFR 11.49(b)(2).

2. Part 97 is amended to read as follows:

§§ 97.23, 97.25, 97.27, 97.29, 97.31, 97.33 and 97.35 [Amended]

By amending: § 97.23 VOR, VOR/DME, VOR or TACAN, and VOR/DME or TACAN; § 97.25 LOC, LOC/DME, LDA, LDA/DME, SDF, SDF/DME; § 97.27 NDB, NDB/DME; § 97.29 ILS, ILS/DME, ISMLS, MLS, MLS/DME, MLS/RNAV; § 97.31 RADAR SIAPs; § 97.33 RNAV SIAPs; and § 97.35 COPTER SIAPs, identified as follows:

* * *Effective Upon Publication

FDC date	State	City	Airport	FDC No.	SIAP
03/16/99 ...	VA	Norfolk	Norfolk Intl	FDC 9/1576	NDB Rwy 5 ORIG...
03/24/99 ...	GA	Savannah	Savannah Intl	FDC 9/1750	MLS Rwy 27, ORIG-A...
03/30/99 ...	UT	Milford	Milford Muni	FDC 9/2079	VOR OR GPS-A AMDT 3...
04/01/99 ...	MO	Kaiser/Lake Ozark	Lee Co. Fine Memorial	FDC 9/2118	LOC/DME Rwy 21, AMDT 1...
04/01/99 ...	MO	St. Louis	Lambert-St. Louis Intl	FDC 9/2125	ILS Rwy 6, ORIG-A...
04/02/99 ...	KS	Olathe	New Century Aircenter	FDC 9/2161	NDB OR GPS Rwy 35, AMDT 4A...
04/02/99 ...	MI	Hancock	Houghton City Memorial	FDC 9/2179	LOC/DME BC Rwy 13, AMDT 11...
04/02/99 ...	MI	Holland	Tulip City	FDC 9/2180	ILS/DME Rwy 26 ORIG-A...

FDC date	State	City	Airport	FDC number	SIAP
04/02/99 ...	MO	Kirksville	Kirksville Regional	FDC 9/2175	LOC/DME Rwy 36, AMDT 6...
04/02/99 ...	MO	Sikeston	Sikeston Memorial Muni	FDC 9/2178	VOR/DME OR GPS Rwy 2, AMDT 1A...
04/02/99 ...	NC	Jacksonville	Albert J. Ellis	FDC 9/2171	ILS Rwy 5 AMDT 7A...
04/02/99 ...	NJ	Linden	Linden	FDC 9/2185	GPS-A ORIG...
04/02/99 ...	PA	Pittsburgh	Pittsburgh Intl	FDC 9/2172	ILS Rwy 28L AMDT 6A...
04/06/99 ...	MN	Motley	Morey's	FDC 9/2270	NDB OR GPS Rwy 9, AMDT 1...
04/07/99 ...	NY	Syracuse	Syracuse Hancock Intl	FDC 9/2299	GPS Rwy 32 ORIG...
04/07/99 ...	NY	Syracuse	Syracuse Hancock Intl	FDC 9/2300	GPS Rwy 28 ORIG...
04/07/99 ...	NY	Syracuse	Syracuse Hancock Intl	FDC 9/2302	GPS Rwy 14 ORIG...
04/07/99 ...	NY	Syracuse	Syracuse Hancock Intl	FDC 9/2303	VOR Rwy AMDT 22...
04/07/99 ...	NY	Syracuse	Syracuse Hancock Intl	FDC 9/2304	VOR OR TACAN Rwy 32, ORIG-A...
04/07/99 ...	NY	Syracuse	Syracuse Hancock Intl	FDC 9/2305	NDB Rwy 28 AMDT 28...
04/07/99 ...	NY	Syracuse	Syracuse Hancock Intl	FDC 9/2306	ILS Rwy 10 AMDT 9...
04/07/99 ...	NY	Syracuse	Syracuse Hancock Intl	FDC 9/2307	ILS Rwy 28 AMDT 32...
04/09/99 ...	DC	Washington	Ronald Reagan Washington, National ..	FDC 9/2348	VOR/DME OR GPS Rwy 18 AMDT 8...
04/09/99 ...	DC	Washington	Ronald Reagan Washington, National ..	FDC 9/2349	VOR/DME OR GPS Rwy 15 AMDT 1...
04/09/99 ...	DC	Washington	Ronald Reagan Washington, National ..	FDC 9/2350	ROSSLYN LDA Rwy 18 AMDT 14...
04/09/99 ...	DC	Washington	Ronald Reagan Washington, National ..	FDC 9/2352	ILS Rwy 36 AMDT 39...
04/09/99 ...	DC	Washington	Ronald Reagan Washington, National ..	FDC 9/2357	VOR Rwy 36 AMDT 11A...
04/09/99 ...	DC	Washington	Ronald Reagan Washington, National ..	FDC 9/2358	VOR Rwy 15 AMDT 9...
04/09/99 ...	DC	Washington	Ronald Reagan Washington, National ..	FDC 9/2361	NDB Rwy 15 AMDT 4...
04/09/99 ...	DC	Washington	Ronald Reagan Washington, National ..	FDC 9/2363	NDB OR GPS Rwy 36 AMDT 10...
04/09/99 ...	DC	Washington	Ronald Reagan Washington, National ..	FDC 9/2364	VOR/DME RNAV OR GPS Rwy 3 AMDT 6...
04/09/99 ...	DC	Washington	Ronald Reagan Washington, National ..	FDC 9/2365	VOR/DME RNAV OR GPS Rwy 33 AMDT 5A...
04/09/99 ...	GA	Bainbridge	Decatur County Industrial Airpark	FDC 9/2328	VOR OR GPS-A, AMDT 3...
04/09/99 ...	NY	Syracuse	Syracuse Hancock Intl	FDC 9/2321	GPS Rwy 10 ORIG...
04/09/99 ...	SC	Charleston	Charleston AFB/Intl	FDC 9/2370	RADAR-1 AMDT 16...
04/09/99 ...	TX	Austin	Austin-Bergstrom Intl	FDC 9/2322	ILS Rwy 17L (CAT II), ORIG...
04/12/99 ...	DC	Washington	Ronald Reagan Washington National ...	FDC 9/2422	LDA/DME Rwy 18 AMDT 1...
04/12/99 ...	NH	Portsmouth	Pease Intl Tradeport	FDC 9/2395	ILS Rwy 34 AMDT 1A...
04/13/99 ...	AK	Cold Bay	Cold Bay	FDC 9/2450	ILS Rwy 14, AMDT 16...
04/14/99 ...	KS	Russell	Russell Muni	FDC 9/2448	VOR/DME OR GPS- A AMDT 4...
04/14/99 ...	PA	Monongahela	Monongahela/Rostraver	FDC 9/2459	VOR OR GPS-A AMDT 4A...

[FR Doc. 99-10085 Filed 4-21-99; 8:45 am]
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FEDERAL TRADE COMMISSION

16 CFR Parts 239, 700, 701, 702, and 703

Final Action Concerning Review of Interpretations of Magnuson-Moss Warranty Act; Rule Governing Disclosure of Written Consumer Product Warranty Terms and Conditions; Rule Governing Pre-Sale Availability of Written Warranty Terms; Rule Governing Informal Dispute Settlement Procedures; and Guides For the Advertising of Warranties and Guarantees

AGENCY: Federal Trade Commission.

ACTION: Notice of final action.

SUMMARY: The Federal Trade Commission ("the Commission") is announcing its final action in connection with the review of a set of warranty-related rules and guides: the Interpretations of the Magnuson-Moss Warranty Act, ("Interpretations"); the Rule Governing Disclosure of Written Consumer Product Warranty Terms and Conditions, ("Rule 701"); the Rule Governing Pre-Sale Availability of Written Warranty Terms, ("Rule 702"); the Rule Governing Informal Dispute Settlement Procedures, ("Rule 703"); and the Guides for the Advertising of Warranties and Guarantees, ("Guides").

The Interpretations represent the Commission's views on various aspects of the Magnuson-Moss Warranty Act ("the Act"), 15 U.S.C. 2301 *et seq.*, and are intended to clarify the Act's requirements. They are similar to industry guides in that they are advisory in nature, although failure to comply with the Act and the Rules under the Act as elucidated by the Interpretations may result in corrective action by the Commission. Rule 701 specifies the information that must appear in a written warranty on a consumer product. Rule 702 details the obligations of sellers and warrantors to make warranty information available to consumers prior to purchase. Rule 703 specifies the minimum standards which must be met by any informal dispute settlement mechanism that is incorporated into a written consumer product warranty and which the consumer must use prior to pursuing any legal remedies in court. The Guides are intended to help advertisers avoid unfair or deceptive practices in the advertising of warranties or guarantees.

EFFECTIVE DATE: April 22, 1999.

FOR FURTHER INFORMATION CONTACT: Carole I. Danielson, Investigator, Division of Marketing Practices, Federal Trade Commission, Washington, DC 20580, (202) 326-3115.

SUPPLEMENTARY INFORMATION: On April 3, 1996, the Commission published a **Federal Register** notice¹, soliciting written public comments concerning four warranty rules and guides: (1) The Commission's Interpretations of the Magnuson-Moss Warranty Act, 16 CFR part 700; (2) the Rule Governing Disclosure of Written Consumer Product Warranty Terms and Conditions, 16 CFR part 701; (3) the Rule Governing Pre-Sale Availability of Written Warranty Terms, 16 CFR part 702; and (4) the Guides for the Advertising of Warranties and Guarantees, 16 CFR part 239. On April 2, 1997, the Commission published a second **Federal Register** notice, this time soliciting written public comments concerning Rule 703.² On June 13, 1997, the Commission extended the comment period on Rule 703 until August 1, 1997.³ The Commission requested comments on these rules and guides as part of its regulatory review program, under which it reviews rules and guides periodically in order to obtain information about the costs and benefits of the rules and guides under review, as well as their regulatory and economic impact. The information obtained assists the Commission in identifying rules and guides that warrant modification or rescission. After careful review of the comments received in response to both requests, the Commission has determined to retain the Interpretations, Rules 701, 702, and 703, and the Guides without change.

A. Background

1. 16 CFR Part 700: Interpretations of the Magnuson-Moss Warranty Act ("Interpretations")

The Magnuson-Moss Warranty Act, 15 U.S.C. 2301 *et seq.*, which governs written warranties on consumer products, was signed into law on January 4, 1975. Soon thereafter, the Commission received many questions concerning the Act's requirements. In response to these inquiries, the Commission decided to provide guidance in order to facilitate compliance with the requirements of the Act. The Commission published a policy statement in the **Federal Register** (40 FR 25721) on June 18, 1975, to provide interim guidance during the

¹ 61 FR 14688 (April 3, 1996).

² 62 FR 15636 (April 2, 1997).

³ 62 FR 32338 (June 13, 1997).

initial implementation of the Act. As the Commission continued to receive questions and requests for advisory opinions, however, it determined that guidance of a more permanent nature was appropriate. Therefore, on July 13, 1977, the Commission published in the **Federal Register** (42 FR 36112) its Interpretations of the Magnuson-Moss Warranty Act.

The Interpretations apply to written warranties on consumer products. They set forth the Commission's views on various terms and provisions of the Act that are not entirely clear on the face of the statute. Thus, the Interpretations clarify the Act's requirements for all who are affected by them—consumers, manufacturers, importers, distributors, and retailers. The Interpretations are not substantive rules, and do not have the force or effect of such rules; like industry guides, they are advisory in nature. Nonetheless, failure to comply with the requirements of the Act and the substantive Rules adopted under the Act as elucidated by the Interpretations could result in enforcement action by the Commission.

The Interpretations cover a wide range of subjects covered by the Act and terms used in the Act, including what types of products are considered "consumer products" under the Act; what constitutes an "expression of general policy" under section 103(b) of the Act⁴ and what the Act requires with respect to such expressions of general policy; how warranty registration cards may be used in connection with full and limited warranties; what constitutes an illegal tying arrangement under section 102(c) of the Act;⁵ and how to distinguish between "written warranty," "service contract," and "insurance."

2. 16 CFR Part 701: Disclosure of Written Consumer Product Warranty Terms and Conditions ("Rule 701")

The language of the Act and its legislative history make it amply clear that Congress intended that the Commission promulgate rules regarding the disclosure of written warranty terms and conditions. Accordingly, on December 31, 1975, the Commission published Rule 701 in the **Federal Register**.⁶ Rule 701 sets forth what warrantors must disclose about the terms and conditions of the written warranties they offer on consumer products that actually cost the consumer more than \$15.00. Rule 701 tracks the disclosure requirements suggested in

⁴ 15 U.S.C. 2303(b).

⁵ 15 U.S.C. 2302(c).

⁶ 40 FR 60168, 60188.